

 **Sterne Kessler  
Goldstein Fox**  
ATTORNEYS AT LAW



Robert Greene Sterne  
Edward J. Kessler  
Jorge A. Goldstein  
David K.S. Cornwell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michele A. Cimbalà  
Michael B. Ray  
Robert E. Sokohl  
Eric K. Steffe  
Michael Q. Lee  
Steven R. Ludwig  
John M. Covert  
Linda E. Alcorn  
Robert C. Millonig  
Donald J. Featherstone  
Timothy J. Shea, Jr.  
Michael V. Messinger  
Judith U. Kim

Patrick E. Garrett  
Jeffrey T. Helvey  
Heidi L. Kraus  
Eldora L. Ellison  
Thomas C. Fiala  
Albert L. Ferro  
Donald R. Banowit  
Peter A. Jackman  
Jeffrey S. Weaver  
Kendrick P. Patterson  
Vincent L. Capuano  
Brian J. Del Buono  
Virgil Lee Beaston  
Theodore A. Wood  
Elizabeth J. Haanes  
Joseph S. Ostroff  
Frank R. Cottingham  
Rae Lynn P. Guest  
Daniel A. Klein

Jason D. Eisenberg  
Michael D. Specht  
Andrea J. Kamage  
Tracy L. Müller  
Jon E. Wright  
LuAnne M. DeSantis  
Ann E. Summerfield  
Aric W. Ledford  
Helene C. Carlson  
Cynthia M. Bouchez  
Timothy A. Doyle  
Gaby L. Longworth  
Lori A. Gordon  
Nicole D. Dretar  
Ted J. Ebersole  
Laura A. Vogel  
Michael J. Mancuso  
Bryan S. Wade  
Aaron L. Schwartz

Shannon A. Carroll\*  
Wesley W. Jones\*  
Matthew E. Kelley\*  
Michelle K. Holoubek\*  
Marsha A. Rose\*

**Registered Patent Agents\***

Karen R. Markowicz  
Nancy J. Leith  
Matthew J. Dowd  
Katrina Yujian Pei Quach  
Bryan L. Skelton  
Robert A. Schwartzman  
Teresa A. Colella  
Victoria S. Rutherford  
Simon J. Elliott  
Julie A. Heider  
Mita Mukherjee

Scott M. Woodhouse  
Christopher J. Walsh  
Liliana Di Nola-Baron  
Peter A. Socarras  
Jeffrey Mills

**Of Counsel**

Kenneth C. Bass III  
Marvin C. Guthrie

\*Admitted only in Maryland

\*Admitted only in Virginia

\*Practice Limited to  
Federal Agencies

September 30, 2005

**WRITER'S DIRECT NUMBER:**

(202) 772-8831

**INTERNET ADDRESS:**

JWEAVER@SKGF.COM

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Art Unit 2682**

**Attn: Mail Stop Amendment**

Re: U.S. Utility Patent Application  
Appl. No. 10/086,367; Filed: March 4, 2002  
For: **Method and System for Frequency Up-Conversion**  
Inventors: **SORRELLS et al.**  
Our Ref: 1744.0020007

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal Form (PTO/SB/17);
2. Fifth Preliminary Amendment Under 37 C.F.R. § 1.115;
3. One (1) return postcard; and
4. Credit Card Payment Form (PTO-2038) in the amount of \$2,650.00 to cover the Excess Claims Fee.

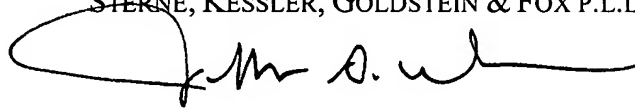
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
September 30, 2005  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

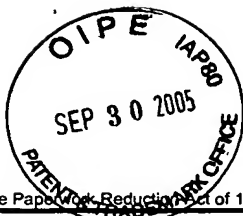
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Jeffrey S. Weaver", is written over the firm name.

Jeffrey S. Weaver  
Attorney for Applicants  
Registration No. 45,608

MQL/JSW:apg  
Enclosures

449188\_1.DOC



Equivalent to Form  
PTO/SB/17 (12-04)

Approved for use through 07/31/2006.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 2,650.00

### Complete if Known

Application Number	10/086,367
Filing Date	March 4, 2002
First Named Inventor	David F. SORRELLS
Examiner Name	Pan, Y.
Art Unit	2682
Attorney Docket No.	1744.0020007

### METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims 84 - 20 or HP 55 = 29 x Fee (\$) 50.00 = Fee Paid (\$) 1,450.00

HP = highest number of total claims paid for, if greater than 20

Indep. Claims 17 - 3 or HP 11 = 6 x Fee (\$) 200.00 = Fee Paid (\$) 1,200.00

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims Fee (\$) 360.00 Fee Paid (\$)

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets - 100 = Extra Sheets / 50 = Number of each additional 50 or fraction thereof x Fee (\$) = Fee Paid (\$)

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: \_\_\_\_\_

#### SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	45,608	Telephone	(202) 371-2600
Name (Print/Type)	Jeffrey S. Weaver	Date	September 30, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.